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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,834	11/04/2003	Steve Anspach	ANSPACH	5571

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Washington, DC 20036-3307

EXAMINER

LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/699,834	Applicant(s) ANSPACH, STEVE	
	Examiner Samson B. Lemma	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/08 & 05/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in reply to amendment filed on February 14, 2008.
2. **All independent claims 1, 12, 24** are amended.
3. No claims is canceled, thus claims **1-27** are pending/examined.

Priority

4. This application claims priority of a provisional application, application No. 60/502,660 filed on September 15, 2003. Therefore, the effective filing date for the subject matter defined in the pending claims of this application is **09/15/2003**.

Response to Arguments

5. Applicant's argument/s filed on February 14, 2008 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-3, 8, 11-14, 19, 22-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nortel Network, an article written with title “Securing Voice across the Internet”** (Hereinafter referred as **Nortel**) (2002, submitted with IDS) in view of Gross (Hereinafter referred as **Gross**) (U.S. Publication No. 2002/0009060 A1)
8. **As per independent claims 1, 12 and 24 Nortel discloses a method of Cloaking an encrypted serial data stream [See figure 1 and 2 and page 3, 1st column] comprising:**
- Receiving a voice stream from a telephony device at a data router adapted to output a first serial data stream [See figure 1 and 2 and page 2, column 2]**
- said data router being further adapted to receive any of voice-over-IP (VoIP), [See figure 1 and 2 and page 2, column 2]**
- Encrypting said voice stream into a second serial data stream;**
- encapsulating said second serial data stream of encrypted data into Internet Protocol (IP) packets;** [Page 2, column 3, 1st paragraph, see also figure 2, “Encrypted Voice/data”]and
- Transmitting said IP packets of encrypted serial data on a public IPnetwork** [See figure 1, “Public IP network”]
- Nortel** does not explicitly disclose
- , said data router being further adapted to receive any of voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM) communications;

However, in the same field of endeavor Gross on paragraph 0041 and figure 1-2, ref. Num “20-24” and “4” discloses the above feature.

Furthermore, Gross on paragraph 0045 discloses how the uplink and downlink traffic is encrypted/decrypted.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as data router being adapted to receive any of voice-over-IP (VoIP), voice-over- frame relay (VoFR), and voice-over-ATM (VoATM) communications as per teachings of **Gross** into the method as taught by the **Nortel** for the purpose providing greater flexibility as to the type of voice communication device that can be connected to an encryption device through a router that can receive any of a variety of protocols, i.e., voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM).

9. **As per dependent claims 2 and 13 the combination of Nortel and Gross discloses a method as applied to claims above. Furthermore Nortel discloses the method wherein said public network is an Internet.** [See figure 1, “secure voice and data across the interent”]
10. **As per dependent claims 3, 14, 23, 25 the combination of Nortel and Gross discloses a method as applied to claims above. Furthermore Nortel discloses the method wherein said IP packets are transmitted via an ISDN router. [See page 2, column 2, last line, “router”]**

11. **As per dependent claims 8 and 19 the combination of Nortel and Gross discloses a method as applied to claims above.**
Furthermore Nortel discloses the method wherein said serial data stream of encrypted data comprises:
Voice over IP (VoIP) data. [See figure 2]
12. **As per dependent claims 11 and 22 the combination of Nortel and Gross discloses a method as applied to claims above.**
Furthermore Nortel discloses the method further comprising:
combining data from two voice sources into said first serial data stream before said encapsulation. [figures 1, 2 and page 2, column 2]
13. **Claims 4-7, 9-10, 15-18, 20-21 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nortel Network, an article written with title “Securing Voice across the Internet”** (Hereinafter referred as **Nortel**) (2002, submitted with IDS) in view of Gross (Hereinafter referred as **Gross**) (U.S. Publication No. 2002/0009060 A1) further in view of an article published on IEEE, on 2000 with the title “Global broadcast service (GBS) end-to-end services; protocols and encapsulation”, written by Michael DiFrancisco (Hereinafter referred as **Francisco**) (is in the IDS)**
14. **As per independent claims 4-7, 15-18, 26 Nortel discloses a method of Cloaking an encrypted serial data stream [See figure 1 and 2 and page 3, 1st column) comprising:**

Receiving a voice stream from a telephony device at a data router adapted to output a first serial data stream [See figure 1 and 2 and page 2, column 2]

said data router being further adapted to receive any of voice-over-IP (VoIP), [See figure 1 and 2 and page 2, column 2]

Encrypting said voice stream into a second serial data stream; encapsulating said second serial data stream of encrypted data into Internet Protocol (IP) packets; [Page 2, column 3, 1st paragraph, see also figure 2, "Encrypted Voice/data"]and

Transmitting said IP packets of encrypted serial data on a public IPnetwork [See figure 1, "Public IP network"]

Nortel does not explicitly disclose

, said data router being further adapted to receive any of voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM) communications;

However, in the same field of endeavor Gross on paragraph 0041 and figure 1-2, ref. Num "20-24" and "4" discloses the above feature.

Furthermore, Gross on paragraph 0045 discloses how the uplink and downlink traffic is encrypted/decrypted.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as data router being adapted to receive any of voice-over-IP (VoIP), voice-over- frame relay (VoFR), and voice-over-ATM (VoATM) communications as per teachings of **Gross** into the method as

taught by the **Nortel** for the purpose providing greater flexibility as to the type of voice communication device that can be connected to an encryption device through a router that can receive any of a variety of protocols, i.e., voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM).

The combination of Nortel and Gross does not explicitly disclose encrypting data using a Type 1 encryption unit and said IP packets are transmitted over a satellite terminal.

However, in the same field of endeavor Francisco on page 705, paragraph 2.1.2, discloses that the transmission of serial data stream **encrypted with a standard Type I serial encryptor before or prior to entering the GBS system. Furthermore Francisco** on Page 706, paragraph 2.3 discloses that **the internet**/Public IP network service/AKA Asynchronous Networking or Split-IP provides a wide-bandwidth one-way data path over the satellite.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as encrypting data using a Type 1 encryption unit and transmitting IP packets over a satellite terminal as per teachings of **Francisco** into the method as taught by the **combination of Nortel and Gross in order to enhance the security of the system.**

15. **As per dependent claims 9-10, 20-21 and 27 Nortel discloses a method of Cloaking an encrypted serial data stream [See figure 1 and 2 and page 3, 1st column] comprising:**

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Receiving a voice stream from a telephony device at a data router adapted to output a first serial data stream [See figure 1 and 2 and page 2, column 2]

said data router being further adapted to receive any of voice-over-IP (VoIP), [See figure 1 and 2 and page 2, column 2]

Encrypting said voice stream into a second serial data stream; encapsulating said second serial data stream of encrypted data into Internet Protocol (IP) packets; [Page 2, column 3, 1st paragraph, see also figure 2, "Encrypted Voice/data"]and
Transmitting said IP packets of encrypted serial data on a public IPnetwork [See figure 1, "Public IP network"]

Nortel does not explicitly disclose

, said data router being further adapted to receive any of voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM) communications;

However, in the same field of endeavor Gross on paragraph 0041 and figure 1-2, ref. Num "20-24" and "4" discloses the above feature.

Furthermore, Gross on paragraph 0045 discloses how the uplink and downlink traffic is encrypted/decrypted.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as data router being adapted to receive any of voice-over-IP (VoIP), voice-over- frame relay (VoFR), and voice-over-ATM (VoATM)

communications as per teachings of **Gross** into the method as taught by the **Nortel** for the purpose providing greater flexibility as to the type of voice communication device that can be connected to an encryption device through use of a router that can receive any of a variety of protocols, i.e., voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM).

The combination of Nortel and Gross does not explicitly disclose **that serial data stream is a synchronous serial data stream and said synchronous serial data stream is an RS-530 data stream**

However, in the same field of endeavor Francisco on page 705, paragraph 2.1.2, discloses such features, See for instance “synchronous” and “RS-530”)

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such synchronous serial data stream as per teachings of **Francisco** into the method as taught by the **combination of Nortel and Gross in order to provide a secure** coordination and communication between the sender and receiver.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until

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after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

06/01/2008

/Samson B Lemma/
Examiner, Art Unit 2132

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132